REPORT

ON THE

ADMINISTRATION

OF

CRIMINAL JUSTICE

IN THE

PROVINCE OF BIHAR

DURING THE YEAR

1941.

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Judicial staff.—Sessions Judges were employed throughout the year in all the eleven sessions divisions except during the following periods :—

(1) In Gaya, Manbhum-Singhbhum, Bhagalpur, Monghyr, Shahabad, Muzaffarpur and Purnea, for the entire period of the Civil Court Vacation from the 20th September to the 25th October ;

(2) in Darbhanga from the 20th September to the 7th October ;

(3) in Saran from the 8th October to the 25th October.

During the above periods, Sessions or Additional Sessions Judges of other districts were appointed Additional Sessions Judges of these districts to dispose of urgent criminal work.

The six peripatetic Additional District and Sessions Judges and the two temporary Additional District and Sessions Judges were employed during the year as follows :—

one was posted to Bhagalpur from the beginning of the year to the 23rd April and again from the 27th October to the end of the year ;

one was posted to Darbhanga from the beginning of the year to the 30th April and again from the 2nd May to the end of the year ;

one was posted to Gaya from the beginning of the year to the 14th January and again from the 9th June to the 17th October ;

one was posted to Manbhum-Singhbhum from the 22nd November to the end of the year;

one was posted to Muzaffarpur from the 22nd January to the 10th May;

one was posted to Purnea from the 30th April to the 18th November;

one was posted to Saran from the 10th February to the 22nd March and again from the 4th April to the end of the year;

one was posted to Patna from the beginning of the year to the 23rd January and from the 19th May to the end of the year. A second Additional District and Sessions Judge was posted from the 22nd January to the 11th March and again from the 29th March to the end of the year and a third one from the 27th October to the end of the year;

one was posted to Chota Nagpur from the beginning of the year to the 1st March, and again from the 21st March to the end of the year.

The magisterial staff of the province at the close of the year consisted of 279 stipendiary and 117 honorary magistrates. Of the 279 stipendiary magistrates, 162 exercised first class, 97 second class and 20 third class powers.

2. *Offences reported.*—During the year, 114,167 criminal offences were reported, of which 65,515 were offences under the Indian Penal Code and 48,652 under special and local laws, a decrease of 1,832 or 2·7 per cent and an increase of 2,604 or 5·7 per cent, respectively, as compared with the figures for 1940. The number of offences reported increased in eight districts and decreased in eight districts. The largest increases were in Manbhum (+2,088 or 14·7 per cent) and Patna (+935 or 11·1 per cent). The increase in Manbhum relates to offences both under the Indian Penal Code and under special and local laws. The increase under the former head was most marked in offences under Chapter XVII of the Penal Code and was due to the economic condition of the people. The increase under special and local laws was due to the institution of a larger number of cases under section 34 of the Police Act, Motor Vehicles Act, Excise Act, Municipal Bye-laws, Vaccination Act, Prevention of Cruelty to Animals Act, Primary Education Act and Defence of India Rules. It is stated that the marked increase in cases under section 34 of

the Police Act and under the Motor Vehicles Act was due to strict vigilance of the Police, and that under the Prevention of Cruelty to Animals Act due to the activities of the S. P. C. A. The Sessions Judge also says that the marked increase in excise cases was apparently due to the better control by the Excise staff in the prohibition area. Shouting of anti-war slogans by Congress men and profiteering are reported to be responsible for the increase in the number of cases under the Defence of India Rules, and enforcement of the Primary Education Act added partly to the increase. As regards Patna, it is reported that mischievous rumours about a possible invasion of the country by some foreign powers, the activities of communal organisations, and the more or less open propaganda against law and order carried on by certain political parties, provided encouragement to the lawless elements in society with the result that crimes increased a good deal and show a tendency to increase further. The largest decreases were in Darbhanga (—1,061 or 13·2 per cent) and Singhbhum (—1,008 or 18·3 per cent). The decrease in Darbhanga is reported to be due to the present economic depression while the probable reason assigned to the decrease in Singhbhum is the war.

3. *Cases dismissed.*—Complaints were dismissed in 19,357 cases, a decrease of 893 as compared with 1940. The number of cases declared to be false after trial or enquiry was 1,250 or 95 more than in 1940. These two classes together constituted 18 per cent of the total number of cases reported as against 18·9 per cent in 1940.

4. *Cases found to be true.*—Of the total number of cases under enquiry during the year, 86,008 were found to be true and 79,878 were brought to trial, an increase of 2,533 and 2,734, respectively, as compared with the year 1940.

ORIGINAL JURISDICTION.

I.—Magistrates' Courts.

5. *Cases disposed of.*—At the opening of the year, 5,786 cases were pending before magistrates. During the year, 79,886 cases were brought to trial, this number including references under sections 347 and 349 of the Code of Criminal Procedure and also cases committed to the courts of session. 79,324 cases were disposed of, including cases committed to the courts of session, and 6,342 remained pending at the close

of the year. The number of cases brought to' trial during the year exceeded the number for 1940 by 2,731. There was an increase in thirteen districts and a decrease in three. The increase was largest in Patna (+827). The most conspicuous decrease was in Darbhanga (—700). The number of cases decided during the year was 2,299 in excess of the number for 1940.

Disposals were distributed as follows :—

	Tried regularly.	Tried summarily.
District Magistrates	10	..
Subordinate Stipendiary Magistrates ..	66,848	1,366
Honorary Magistrates	10,876	...
Benches of Magistrates	224	..
Special Magistrates	..	..

The Deputy Commissioner of Palamau and the Additional Deputy Commissioner of Dhanbad tried two and three cases, respectively, and Deputy Magistrates in Ranchi, Palamau, Hazaribagh, Purulia, Singhbhum, Dhanbad and the Santal Parganas tried respectively 43, 32, 61, 61, 66, 21 and 74 cases, in the exercise of special powers under section 30 of the Code of Criminal Procedure.

The cases tried by Magistrates in the exercise of special powers under section 30 of the Criminal Procedure Code thus totalled 363 as against 288 in 1940 and 320 in 1939. This use of the special powers under section 30 of the Code of Criminal Procedure has continued appreciably to lighten the burden of Sessions Judges employed in partially-excluded areas and has enabled them to devote more time to civil business than would otherwise have been possible.

6. *Results of trials.*—Of the total number of cases shown in the preceding paragraph, 882 were committed or referred to courts of session, while 78,442 were finally disposed of by magistrates. In the latter cases, 1,43,625 persons were accused as against 1,46,291 in the previous year; 67,561 or 47 per cent were convicted ; and 76,064 or 53 per cent were acquitted or discharged. The corresponding percentages for 1940 were 43·8 and 56·2 respectively. Out of 76,064 persons acquitted or discharged, the cases of 42,628 were compounded, withdrawn or dismissed for default. In the result, the percentage of convictions in the case of persons actually tried was 66·9 as compared

with 62·4 in 1940. The number of persons whose cases were compounded, withdrawn or dismissed for default was largest in Hazaribagh, being 4,511 out of 6,413 persons acquitted or discharged.

Of the persons tried for offences under the Penal Code, 26,746 or 29·8 per cent were convicted, and 63,006 or 70·2 per cent were acquitted or discharged. Excluding the cases of 34,405 persons which were compounded, withdrawn or dismissed for default, the percentage of conviction was 48·3 against 44·4 in the previous year.

The total number of persons awaiting trial before magistrates at the close of 1941 was 18,171 of whom 2,997 were in custody. The corresponding figures for 1940 were 17,035 and 2,245.

The general result of trials before the magistrates of each class was as follows :—

——	Acquitted or discharged.	Convicted.	Percentage of convictions.
District Magistrates	9	8	47·1
Subordinate Stipendiary Magistrates	66,419	57,654	46·5
Honorary Magistrates	9,549	9,681	50·3
Benches of Magistrates ..	87	218	71·1
Special Magistrates	..	..	..

Of the persons convicted, 1,876 were tried summarily, all by Subordinate Stipendiary Magistrates.

The manner in which convicted persons were tried and the nature of the sentences imposed on them are shown in the table below :—

——	Appealable sentences,		Non-appealable sentences.	
	1940.	1941.	1940.	1941.
On regular trial	44,886	48,635	16,417	16,168
On summary trial	535	385	1,434	1,459

7. *Punishments.*—The sentences passed on persons convicted (excluding 910 persons imprisoned in default of furnishing

security for good behaviour but including youthful offenders sent to a Reformatory School) were as follows :—

Imprisonment ..	Rigorous	.. ..	16,808
	Simple	.. ..	948
Fine	.. ..	.. ..	49,522
Whipping ..	Sole punishment..	..	97
	Additional punishment	..	..

A sentence of solitary confinement was passed on one person during the year. Sixteen youthful offenders were sentenced to detention in the Reformatory School as against nineteen in 1940.

The sentences of imprisonment passed were as follows :—

One thousand four hundred and fifty-eight persons were sentenced to terms not exceeding fifteen days; 13,083 to terms not exceeding six months; 3,862 to terms not exceeding two years and 247 to terms exceeding two years.

The number of persons sentenced to very short terms of imprisonment increased as compared with the figure for 1939, but decreased as compared with figure for 1940.

The fines imposed during the year amounted to Rs. 7,26,547 while the amount realised was Rs. 3,98,700. A total sum of Rs. 41,714 was paid as compensation to complainants. The percentage of fines unrealised is as high as 45·1.

Security for good behaviour was required from 1,126 persons, of whom 910 were sentenced to terms of imprisonment not exceeding one year on failure to comply with the orders. The number of persons released on probation under section 562 of the Code of Criminal Procedure was 687.

8. *Miscellaneous proceedings under the Code of Criminal Procedure.*—There were 393 proceedings involving 3,115 persons under the provisions of Chapter VIII of the Code of Criminal Procedure, relating to the preservation of the peace, a decrease of 179 proceedings and 492 persons as compared with the year 1940. Orders to execute bonds were made in respect of 552 persons, the largest number being in Shahabad (101) and Gaya (99). Eighty-seven persons were bound down under section 106 of the Code.

The number of persons called upon to show cause why they should not give security to be of good behaviour was 1,531 in 943 cases, and the orders were made absolute against 1,198. Of these, 978 failed to give the required security and were imprisoned in default, 68 after reference to courts of session under section 123 of the Code and 910 under orders of magistrates. The number of persons imprisoned in default for terms exceeding one year was 58.

Proceedings for abatement of nuisances under Chapter X of the Code were taken in 1,184 cases. The number of cases arising out of disputes over the possession of land which were decided by magistrates under Chapter XII of the Code was 997 as against 1,327 in 1940 and 1,042 in 1939.

Under section 250 of the Code, 146 complainants were ordered to pay compensation to accused persons as against 159 in the preceding year.

Out of 385 persons against whom proceedings were taken under Chapter XXXVI of the Code, maintenance orders were made against 126.

9 *Witnesses.*—The number of witnesses examined in the courts of magistrates was 214,466 as compared with 218,920 in 1940. The number discharged without examination was 43,690 or 16·9 per cent of the whole number in attendance, against 18 per cent in the preceding year. The amount paid to witnesses for expenses rose from Rs. 2,07,724 in 1940 to Rs. 2,35,588 in 1941.

Of the total number in attendance, 1,47, 811 (57·3 per cent were discharged on the first day ; 82,758 (32·1 per cent) on the second day ; 24,120 (9·3 per cent) on the third day and 3,467 (1·3 per cent) after the third day. The corresponding percentages in 1940 were 56·9, 32·3, 9·2 and 1·6, respectively.

There was an increase in three districts and a decrease in twelve in the number of witnesses detained for more than three days, the largest increase being in Hazaribagh (+104). The number was greatest in Patna (840), the next greatest being in Shahabad (614) and Purnea (448).

In Patna, the detention is ascribed to the communal cases that came up for trial during the year under report being hotly contested and witnesses being subjected to lengthy cross-examination which resulted in the holding over of other witnesses in attendance. It is further reported that as the Second Officer

of Barh was engaged in other urgent work, some cases in which witnesses attended could not be taken up on the date fixed. In Shahabad, the detention was highest in the Sadr Subdivision where it is reported to have been mainly due to the frequent transfer of magistrates. In Purnea, the detention is ascribed to cases being hotly contested and witnesses being subjected to lengthy cross-examination. In Hazaribagh, it is reported to have been due to lengthy cross-examination of witnesses in hotly contested cases, absence of the accused persons on the ground of illness on the dates fixed, and the trying magistrates being pre-occupied with other urgent work in connection with the war.

The detention of witnesses for more than three days has been engaging the attention of the Court for several years past. The Court realise that in some cases detention is due to unforeseen and unavoidable causes such as have been mentioned in previous years' reports. In a considerable number of cases, however, detention would seem to have been due to the trying magistrates being pre-occupied with other work which made it impossible for them to take up or dispose of certain cases on the dates fixed. A more methodical arrangement of dates, if done by the magistrate himself, would make an appreciable improvement, and the Court have repeatedly impressed on magistrates the necessity of making such arrangements.

II.—Courts of Session.

10. *Commitment and trial.*—The number of cases committed for trial or referred during the year was 882, and the number tried, including the pending cases of the previous year, 823. These figures show an increase of 75 and 125 respectively, as compared with 1940. There were 390 cases pending at the close of the year as against 333 in the previous year.

Of the 823 cases tried, 598 were tried by Sessions Judges and Additional Sessions Judges and 225 by Assistant Sessions Judges. Compared with the previous year, there were increases in the number of cases tried in twelve districts, the largest increases being in Purnea (47 to 86), Patna (54 to 88) and Saran (68 to 100). Sessions Judges and Additional Sessions Judges spent approximately 3,355 days and Assistant Sessions Judges 1,007 days on criminal work against 3,252 and 815 days, respectively, in the previous year. A District and Sessions Judge worked on

the average for 230·8 days during the year out of which he devoted 189 days or 81·9 per cent of his time against 81·3 per cent in 1940 to criminal work. The average number of working days of a Subordinate Judge having the powers of an Assistant Sessions Judge was 234·1 days, out of which he spent 143·9 days or 61·5 per cent of his time against 46·4 per cent in 1940 on criminal work. The three largest numbers of days spent on criminal work by Sessions Judges and Additional Sessions Judges were in the sessions divisions of Patna (510), Chota Nagpur (394) and Saran (376) and by Assistant Sessions Judges in Muzaffarpur-Champaran (252), Bhagalpur (188) and Monghyr (181). Assistant Sessions Judges held 27·3 per cent of the sessions trials as compared with 23·9 per cent in 1940. Seven Assistant Sessions Judges were employed throughout the year.

Commitments, including references, increased in eight districts and decreased in seven. In one district, the number of commitments was the same as in the preceding year. The largest decrease was in Hazaribagh (21 to 12) and the largest increases were in Patna (82 to 127) and Champaran (40 to 68). No reason has been given by the Judicial Commissioner of Chota Nagpur for the small decrease in the district of Hazaribagh. The increases in the numbers of commitments in Patna and Champaran are said to have been due to increases in the numbers of robbery and dacoity cases on account of the deterioration in the war situation and to a rise in prices of essential commodities. Outbreak of communal riots, bad harvests and the local criminals acting in conjunction with the criminals of Shahabad, Gaya and Saran, also contributed to the increase in the number of commitments in Patna.

11. *Results of trials.*—The number of persons under trial before the courts of session during the year was 5,655, being 1,598 more than in the year 1940. The cases of 3,470 persons were decided and 2,165 remained under trial at the close of the year. Twenty persons died or escaped during the year. Of the persons tried, 1,386 were convicted, 2,012 were acquitted or discharged, while the cases of 72 persons were referred to the High Court under sections 307 and 374 of the Code of Criminal Procedure. The lowest percentage of convictions was in the district of Patna (13·8), the next lowest being in Singhbhum (25). The percentage for the province was 39·9 as against 45.1 in the previous year.

12. *Punishments.*—The following sentences were imposed by the courts of session during the year :—

Death	..	43
Transportation	For life	156
	For a term of years	Nil
Imprisonment	Rigorous	1,118
	Simple	8
Fine	..	96
Whipping..	..	Nil

In addition to the above, 68 persons were sentenced to rigorous or simple imprisonment for terms not exceeding three years on failure to furnish security for good behaviour. Sentences of solitary confinement were passed on 6 persons during the year.

Seventy sentences of fine were additional punishments. No youthful offender was sentenced to detention in the Reformatory School. The sentences of imprisonment were for the following terms :—

Not exceeding ...	Fifteen days	7
	Six months	81
	Two years	325
	Seven years	748
Exceeding seven years		33

Fines to the amount of Rs. 12,775 were imposed by courts of session, as compared with Rs. 18,981 in the preceding year.

The total amount realised was Rs. 1,808 as compared with Rs. 2,594 in 1940. Nothing was awarded to complainants as compensation out of the fines realized.

13. *Jury trials.*—There was no change in the system of trial by jury which, as before, prevailed in the district of Patna for offences under Chapters VIII, XI, XVI, X II, XVIII and XX of the Indian Penal Code and in the districts of Bhagalpur, Muzaffarpur, Saran, Darbhanga, Shahabad, Gaya, Manbhum and Monghyr for offences under sections 363—369, 372, 373, 376, 379—382, 392—395, 397—399, 401, 403, 404, 411—414, 426—432, 434—436, 440, 448, 450—462 and 493—498 of the Indian

Penal Code, and for abetments of, and attempts to commit, such offences. The number of persons tried by jury during 1941 was 1,319 and the verdict of the jury was accepted in respect of 1,291 persons. In respect of 28 persons references were made to the High Court under section 307 of the Code of Criminal Procedure.

In Patna 82 cases were tried with the aid of jurors. The jurors returned a verdict of 'guilty' in 26 cases and of 'not guilty' in 56 cases. In 4 of these cases the presiding Judge considered it necessary to make a reference to the High Court under section 307 of the Code of Criminal Procedure. These were the only references under the section made in the year. Two of them were made by the Sessions Judge and two by the Assistant Sessions Judge. In one case the jurors returned a unanimous verdict of 'not guilty'. The Assistant Sessions Judge disagreeing with the verdict of the jury made a reference to the High Court. The High Court accepted the reference and convicted the accused under section 409, Indian Penal Code, and sentenced him to undergo rigorous imprisonment for 4 years and to pay a fine of Rs. 300, and in default, to suffer rigorous imprisonment for a further period of six months. In a second case, involving two persons, the jurors returned a unanimous verdict of 'not guilty' in respect of one accused person and a majority verdict of 'guilty' against the other. The Assistant Sessions Judge accepted the unanimous verdict and made a reference to the High Court in regard to the majority verdict. The High Court accepted the reference and acquitted the accused person upon the charge. In the third case, in which the accused person was charged under sections 409 and 477A of the Indian Penal Code, the jurors returned a majority verdict of 'not guilty' under both the sections. Disagreeing with this verdict, the Sessions Judge made a reference to the High Court. The High Court discharged the reference and directed that the accused be set at liberty. In the fourth case, the accused person was charged under section 302 of the Indian Penal Code. The jury by a majority verdict found the accused 'not guilty'. The Sessions Judge disagreed with the verdict of the jury and made a reference to the High Court. The High Court accepted the reference and convicted the accused under section 302, Indian Penal Code, and sentenced him to transportation for life.

Opinions on the working of the jury system are, as usual, divided. As regards the recommendations made by the Court in 1938, the Provincial Government decided that in view of

financial stringency and a dearth of suitable officers the jury lists of the Patna district only could be revised for the present. They acccordingly appointed a Deputy Magistrate and Deputy Collector for this special duty. The Sessions Judge, Patna, reports that a new list of jurors with better qualifications has recently been prepared under the supervision of a Magistrate specially deputed for this purpose.

14. *Trial by assessors.*—The number of persons tried with the aid of assessors was 1,966. In the cases of 954 persons, the Sessions Judge agreed with the opinion of the assessors; in the cases of 786 persons he differed from the opinion of one or more but not from the opinion of all, and in the cases of 226 persons he differed from their unanimous opinion. The corresponding figures for 1940 were 1,665, 808, 512 and 345.

15. *Duration of cases.*—The average duration of sessions trials from the date of commitment to the date of decision was 159 days against 117·5 days in 1940. This figure was especially high in the districts of Manbhum, Palamau, Patna, Singhbhum and Hazaribagh, being 294·3, 223, 221, 214·5, and 211 days (respectively) against 131·3, 149, 157, 151, and 158 days in the previous year. In Monghyr it rose from 64 to 184 days, in Saran 107 to 195, in the Santal Parganas from 125 to 193 and in Bhagalpur from 106 to 170 days. The long duration in Manbhum and Singhbhum is reported to be mainly due to the serious congestion in the criminal file. In Monghyr the duration was long owing to the fact that a large number of cases was pending at the close of the year 1940. Besides, the trial of some of the cases was also very lengthy. The rise in Saran was mainly due to the fact that a larger number of sessions cases was pending at the close of the year 1940 than at the close of the year 1939. In the judgeship of Chota Nagpur, especially in the districts of Palamau and Hazaribagh, the rise was due to the fact that a large number of cases was pending at the close of the year 1940 and the number of cases committed during the year was abnormally high. The abnormal rise in the duration of cases in the Santal Parganas and Bhagalgur was mainly due to the congestion in the criminal file and the absence of an Additional Sessions Judge for the most part of the year. The rise in Bhagalpur was also partly due to the fact that the trial of a few contested cases lasted longer than the estimated time, which caused adjournment of the cases fixed for the subsequent dates. In Patna, the increase in the number of commitments during the year is said to have been the cause of rise in the duration.

There was an increase in average duration in fifteen districts and a decrease in one district. The decrease was in Champaran (from 84·1 to 80·2 days).

Notice was, as usual, taken by the High Court of cases of unusual delay in commitment, particularly of cases in which more than two months intervened between apprehension and commitment. There were 422 such cases during the year, the numbers being largest in Patna (86), Saran (42) and Darbhanga (42). In forty-one cases, of which sixteen came from Patna, and seven from Darbhanga, the explanations submitted by the officers concerned were considered by the High Court to be unsatisfactory. In 6 out of 7 cases from Darbhanga, the unusual delay in commitment was made by one particular Sub-divisional Officer and the matter was reported to the Provincial Government for necessary action.

16. *Witnesses.*—The number of witnesses in attendance before the courts of session was 15,190. Of these, 12,392 were examined and 2,798 were discharged without examination. In 1940 the corresponding figures were 13,099, 10,612 and 2,487. Of the total number in attendance, 9,767 (64·3 per cent) were discharged on the first day, 3,037 (20 per cent) on the second day, 1,470 (9·7 per cent) on the third day and 916 (6 per cent) after the third day. The percentages for the previous year were 62·9, 21·7, 9·3 and 6·1, respectively. The largest numbers of witnesses in attendance over three days were in the districts of Muzaffarpur (164), Patna (137) and Purnea (119). These long detentions are, as in the previous year, said to have been due to prolonged and keenly contested trials.

The amount paid to witnesses on account of expenses incurred in attending sessions trials was Rs. 36,369, as compared with Rs. 30,380 in 1940. The largest increases occurred in the districts of Patna, Purnea and Ranchi where the amounts rose from Rs. 2,832 to Rs. 4,929, from Rs. 3,6 5 to Rs. 5,591 and from Rs. 1,464 to Rs. 2,949, respectively. In Patna and Purnea, the increases are said to be due to the fact that there were greater numbers of sessions trials during the year than in the preceding year. No reason has been furnished for the increase in the district of Ranchi, but there was an increase in the number of witnesses in attendance as well, as compared with 1940.

APPELLATE JURISDICTION.

I.—High Court.

17. At the end of 1940, 22 appeals were pending before the High Court from the sentences or orders of criminal courts.

During the year, 362 appeals were preferred and 322 appeals were decided : at its close 62 remained pending.

Of the appeals preferred, 315 were against sentences passed by courts of session, and 37 were against sentences passed by magistrates acting under section 34 of the Code of Criminal Procedure. Five appeals were filed under section 476B of the Code of Criminal Procedure and five appeals were filed by Government against orders of acquittal.

18. *Results of appeals.*—The orders of the lower courts were upheld in 210 out of 322 appeals decided, reversed in 70, and modified in 36, and in four cases a new trial was ordered. In two cases the sentences were enhanced.

Of the persons concerned, the appeals of 270 were summarily dismissed under section 421 of the Code of Criminal Procedure ; in admitted appeals, the sentences on 334 appellants were confirmed, on 117 reduced or altered, and on 128 annulled. The cases of 9 persons were remanded for new trial and the sentences on four persons were enhanced. The percentage of appellants who were entirely unsuccessful was 70·5 as against 59·8 in 1940.

II.—Appellate Courts Subordinate to the High Court.

19. *Sessions Courts.*—There were 375 appeals pending before the courts of session at the beginning of the year and during the year 3,816 appeals were preferred. The number decided during the year was 3,768 and 423 were pending at its close. The number of appeals preferred was 229 more than in 1940. There was an increase in six sessions divisions and a decrease in five, the largest increase being in Manbhum-Singhbhum (+174) and the largest decrease in Patna (—115).

The number of persons concerned in the appeals decided by Sessions Judges during the year was 7,637, of whom 4,591, or 60·1 per cent, failed completely. The appeals of 2,111, or 27·6 per cent, were summarily dismissed. Of those whose appeals were admitted 2,480, or 44·9 per cent, were altogether unsuccessful ; 951, or 17·2 per cent, obtained a reduction or alteration of sentence ; 2,042, or 37 per cent, were acquitted ; in the cases of 51, or ·9 per cent, a new trial or further enquiry was ordered ; and the cases of two persons were referred to the High Court. Two persons died or escaped during the year.

20. *Magistrates' Courts.*—In the courts of magistrates there were 360 appeals pending at the beginning of the year. During the year, 3,248 appeals were preferred. The number decided was

3,045, and 563 remained pending at the close of the year. Appeals preferred numbered 22 less than in 1940.

The number of persons whose appeals were decided by courts of magistrates was 7,779. The appeals of 888 (or 11·4 per cent) were summarily dismissed; and the sentences on 3,038 (or 44·1 per cent) of those whose appeals were admitted, were confirmed. 3,926 appellants, or 50·5 per cent, were thus wholly unsuccessful. Of the remainder, 1,273 appellants, or 18·5 per cent, obtained a modification of the sentences passed on them, and 2,339, or 33·9 per cent, were acquitted. In the cases of 228 appellants, or 3·3 per cent, a new trial or further enquiry was ordered, and in the case of 12 persons, or ·2 per cent, proceedings were quashed. The case of one person was referred to the High Court.

SUPERINTENDENCE, REFERENCE AND REVISION.

I.—High Court.

21. *Reference under section 307 of the Code of Criminal Procedure.*—No reference was pending from the previous year, and 14 references, involving 28 persons, were made to the High Court under section 307 of the Code of Criminal Procedure. Twelve references, involving 26 persons, were disposed of. Of the persons concerned, 23 were acquitted and 3 were convicted, of whom one was sentenced to transportation for life, one was sentenced to rigorous imprisonment for four years and fine, and another to rigorous imprisonment for eight months. Two references remained pending at the close of the year.

22. *Reference under section 374 of the Code of Criminal Procedure.*—Thirty-eight references under section 374 of the Code of Criminal Procedure, for confirmation of the sentence of death, were made to the High Court during the year, and three references involving three persons were pending from the previous year. Thirty-two references, in which 36 persons were concerned, were disposed of. The sentence of death passed on 15 persons was confirmed. Eight persons had the sentence of death passed on them commuted to transportation for life and eight others had the sentence set aside and were acquitted. The conviction of five persons was altered and they were sentenced to rigorous imprisonment for ten years downwards. Nine references with ten persons remained pending at the end of the year.

23. *Reference under section 341 of the Code of Criminal Procedure.*—No reference was pending from the previous year and none was received during the year.

24. *Reference under section 215 of the Code of Criminal Procedure.*—No reference under section 215 of the Code of Criminal Procedure was pending from the previous year. One reference was received and disposed of during the year.

25. *Revision.*—During the year, 73 cases were reported for the orders of the High Court by Sessions Judges and District Magistrates under section 438 of the Code of Criminal Procedure, a decrease of 2 as compared with 1940 and 8 cases were pending at the opening of the year. Of these, 69 were decided during the year and 12 remained pending. In 44 cases, the orders sent up for revision were set aside, and in 2 a new trial was ordered. Sentences were enhanced in two cases, and in two cases there was a reduction or alteration of sentence. The proceedings were quashed in one case, while in the remaining 18 cases the High Court declined to interfere.

Orders were passed under section 435 of the Code of Criminal Procedure in 956 cases, an increase of 129 compared with the previous year. All these cases arose out of applications made by private individuals. Five hundred and twenty-seven such applications were summarily dismissed, and notice was issued in 429, or 44·9 per cent, of the entire number. Of these notices, 137 were finally discharged; 148 were made absolute in their entirety; the orders complained of were modified in 113 cases; in 25 cases a new trial or further enquiry was ordered; in one case the sentence was enhanced and in five cases the proceedings were quashed. The following table shows for comparison the figures of the preceding year:—

Applications rejected	452
Applications returned	Nil
Notices issued	375
Discharged	155
Made absolute	114
Modified	84
New trial or further enquiry	16
Sentence enhanced	1
Proceedings quashed	5
Withdrawn	Nil
Pending	47

26. *Applications for transfer.*—Fifty-nine applications under section 526 of the Code of Criminal Procedure for the transfer of cases from one court or district to another were made during the year and three were pending at the opening of the year. Of these, 56 applications were disposed of and six remained pending. Twenty-three applications were summarily dismissed, one was allowed to be withdrawn, and in 32 notice was issued. Ultimately transfers were granted in 20 cases and refused in 12 cases. In the preceding year there were 56 applications 17 of which were successful, and 23 of which were summarily dismissed.

II. Courts Subordinate to the High Court.

27. *Sessions Courts.*—Five thousand three hundred and seventy-eight persons were concerned in the applications in revision disposed of by courts of session during the year. This number includes persons who sought to have convictions or other orders made against them set aside and also persons against whom the courts of session were asked to direct further action to be taken. It does not, however, include complainants, or other persons aggrieved by the refusal of the lower courts to take action on their petitions. The number was 839 less than in 1940. The applications of 1,990 persons were rejected. The orders of the lower courts were confirmed in the case of 1,976 persons. In the case of 1,179 persons, a new trial or further enquiry was directed, in the case of 2 persons proceedings were quashed, and in the case of 231 persons references were made to the High Court.

28. *Magistrates' Courts.*—The cases of 3,297 accused persons who applied for revision, or against whom applications were made by complainants, came before District Magistrates. The number was 828 less than in 1940. The applications of 1,300 persons were rejected. The orders of the lower courts were confirmed in the case of 1,405 persons, and orders with regard to 302 persons were reversed. Orders against 5 persons were modified, and proceedings against 24 persons were quashed. In the case of 223 persons, a new trial or further enquiry was directed, and in the case of 38 persons references were made to the High Court.

GENERAL.

29. *Trial of European British subjects.*—The cases of two European British subjects were disposed of during the year by

magistrates against one in the preceding year. Of the accused persons, who were tried under the Indian Penal Code, one was acquitted and the other was convicted.

30. *Panchayat Courts.*—There were 127 *panchayat* courts in the province during the year 94 of which were in the district of Muzaffarpur. The number of cases (1,569) disposed of by the *panchayat* courts in Muzaffarpur was 85 more than in 1940. The District Magistrate again reports that the *panchayat* courts were helpful to a certain extent in the disposal of petty cases, but their work was not, on the whole, satisfactory. The other districts in which there were *panchayat* courts are Patna (9), Saran (8), Darbhanga (6), Bhagalpur (5), Gaya (3) and Purnea (2). The establishment of these courts did not appreciably affect the work of the regular courts. The District Magistrate of Patna reports that these courts have, to some extent, given relief to magistrates as many petty criminal cases were tried by them. As in the previous year, the District Magistrate of Gaya reports that two of the three courts in his district did not enjoy the full confidence of the public, and did not give much relief to the regular courts, though one of them worked fairly well. The third court seems to have worked well. The District Magistrate of Saran says that the *panchayat* courts in his district were of little help to the magistracy though cases were promptly decided by them. The District Magistrate of Darbhanga reports that the work of three of the six courts in his district was on the whole satisfactory and that the other three were doing useful work. The District Magistrate of Purnea reports that the establishment of these courts has somewhat diminished the work of the regular courts. The District Magistrate of Bhagalpur reports that the *panchayat* courts in his district were working satisfactorily and relieved the regular courts of some work.

31. *Prosecution of cases instituted by or under the orders of a Court*—During the year, 805 cases were instituted on the complaints of courts and 165 were pending at the opening of the year. Four hundred and eighty-two of these cases ended in conviction and 260 in acquittal, 41 cases were withdrawn, two were dismissed, in two the accused persons escaped, proceedings in three cases were dropped, and 183 cases remained pending at the close of the year. The reports received from the various districts show that the instructions issued by the Court in 1933 are generally followed and that as a rule the prosecution is now satisfactorily conducted. The proportion of acquittal is, however, large in the district of Gaya (22 out of 35). The acquittal in

this district was mainly due to insufficient evidence on behalf of the prosecution.

32. *Receipts.*—Receipts aggregated Rs. 10,32,562. Of this amount Rs. 4,37,772 were fines, Rs. 1,04,802 process fees, Rs. 1,65,380 copying and comparing fees, Rs. 2,87,855 court-fee stamp receipts other than the above and Rs. 36,753 miscellaneous receipts.

By order of the High Court,

H. WHITTAKER,

Registrar.

IMPERIAL STATEMENTS (CRIMINAL), BIHAR, 1941.

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Table No. I.—Criminal (Government of India Table No. 25)

Number of Judicial Divisions and number of officers exercising appellate or original jurisdiction in the province of Bihar on the 31st December, 1941.

Province.	Judges of the Chief Court of Province.	Number of Sessions Divisions.	Number of districts.	Sessions Judges.	Other Judges.	District Magistrates.	Other Magistrates. Stipendiary.	Other Magistrates. Honorary.	Number of Panchayat courts.
1	2	3	4	5	6	7	8	9	10
Bihar.	10	1	Patna ...	4	1	1	24	17	9
		1	Gaya ...	1	...	1	18	15	3
		1	Shahabad ...	1	1	1	17	9	...
		1	Saran ...	2	...	1	20	10	8
		1	Champaran ...		1	1	14	3	...
			Muzaffarpur ...	1	1	1	21	9	94
		1	Darbhanga ...	2	...	1	24	9	6
		1	Monghyr ...	1	1	1	16	14	...
		1	Bhagalpur ...	2	1	1	22	16	5
			Santal Parganas...		A(3)	...	...	...	...
		1	Purnea	1	1	1	13	2	2
		1	Hazaribagh ...		A(3)	1	2(b)+16	4	...
			Ranchi ...	2	A(4)	1	4(b)+11	3	...
			Palamau ...		A(2)	1	3(b)+7	1	...
		1	Manbhum ...		A(3)	1	18	4	...
			Singhbhum ...	2	A(1)	1	4(b)+10	1	...
Total.	10	11	16	(a)19	(d)23	15	13(b)+ 251	117(c)	127

A.—Magistrates exercising powers under section 30, Criminal Procedure Code.
(a) All do both civil and criminal work.
(b) Ditto ditto ditto.
(d) Ditto ditto ditto.
(c) Includes 15 Benches of Magistrates.

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Table No. II.—Criminal (Government of India Table No. 26).

Number of cases decided in the criminal courts during the year 1941.

Divisions.	Districts.	Number of cases decided. Criminal. Original. Regular.	Original. Miscellaneous.	Appellate. Regular.	Appellate. Miscellaneous.
1	2	3	4	5	6
Patna.	Patna	8,124	258	581	311
	Gaya	5,037	448	534	251
	Shahabad	6,997	406	589	273
Tirhut.	Saran	6,787	394	538	231
	Champaran	4,730	250	383	162
	Muzaffarpur	5,649	226	604	191
	Darbhanga	5,173	280	685	235
Bhagalpur.	Monghyr	4,418	294	511	253
	Bhagalpur	4,566	660	427	202
	Purnea	3,558	133	3[illegible]3	145
	Santal Parganas	38	4	...	...
Chota Nagpur.	Hazaribagh	4,557	391	296	101
	Ranchi	3,592	183	447	56
	Palamau	1,[illegible]62	111	165	44
	Manbhum	10,[illegible]92	190	476	72
	Singhbhum	3,981	154	244	60
	Total	78,781	4,382	6,813	2,587

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Table No. III.—Criminal (Government of India Table No. 33).
General results of trials of criminal cases.

Class of Tribunals.	Number of offences reported.	Number of persons under trial.	Persons whose cases were disposed of— Discharged or acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred to another province.	Persons remaining under trial at the end of the year.
1	2	3	4	5	6	7	8
I.—MAGISTRATES.							
Subordinate Magistrates. — Special Magistrates under section 14 ...	...	...	...	...	...	...	...
Subordinate Magistrates. — Honorary Magistrates sitting singly. — 2nd and 3rd class ...	...	21,326	8,992	9,275	...	5	3,054
Subordinate Magistrates. — Honorary Magistrates sitting singly. — 1st class ...	...	1,109	557	406	1	...	145
Subordinate Magistrates. — Stipendiary Magistrates sitting singly. — 2nd and 3rd class ...	...	51,179	21,039	24,746	15	39	5,340
Subordinate Magistrates. — Stipendiary Magistrates sitting singly. — 1st class — Under ordinary powers.	...	90,891	45,003	32,577	4,029	89	9,193
Subordinate Magistrates. — Stipendiary Magistrates sitting singly. — 1st class — Under special powers under section 34.	...	1,046	377	331	13	9	316
Subordinate Magistrates. — Benches of Magistrates	...	427	87	218	...	...	123
District and Divisional Magistrates—Cases referred under sections 347 and 349.	...	8	...	8	...	...	...
Chief Magistrates of districts. — Under ordinary powers ...	...	...	...	..	...	...	...
Chief Magistrates of districts. — Under special powers under section 34.	...	10	9	...	...	...	1
Total ...	...	165,996	76,064	67,561	4,058	142	18,171
II.—COURTS OF SESSION.							
Assistant Judges	...	1,183	445	480	15	6	237
Judges and Additional Judges	...	4,472	1,567	906	57	14	1,928
Total ...	...	5,655	2,012	1,386	72	20	2,165
III.—SUPERIOR COURTS OF GENERAL JURISDICTION.							
High Court. — Cases under section 526, Cr. P. C. ...	...	...	...	...	...	...	...
High Court. — Cases committed by the Presidency Magistrates.	...	...	...	...	...	...	...
High Court. — Cases committed under section 447, sub-section 2, Cr. P. C.	...	...	...	...	...	...	...
High Court. — Cases referred by Sessions Judges under section 307, Cr. P. C.	...	28	23	3	...	...	1
High Court. — Cases referred by Sessions Judges under section 374, Cr. P. C.	...	46	8	28	...	...	10
Total ...	...	74	31	31	...	...	11
Grand Total ...	(a)114,167	171,725	78,107	68,978	4,130	162	20,347

(a) For details, see column 2 of Table V.

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Table No. IV.—Criminal (Government of India Table No. 34).

General results of appeals and revisions in criminal cases

Class of Tribunals.	Number of persons. Number of appellants and applicants for revision before the courts.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence altered.	Sentence reversed.	Otherwise disposed of.	Died, escaped or transferred to another province.	Pending trial.
1	2	3	4	5	6	7	8	9
APPEALS.								
To — From								
District Magistrates ... — Subordinate Magistrates.	9,476	888	3,038	1,273	2,339	241	2	1,695
Courts of Session .. — Magistrates	8,831	2,091	2,355	923	1,996	53	2	1,411
Courts of Session .. — Assistant Judges	254	20	125	28	46	...	...	35
Superior Courts — By persons convicted — Section 476-B, Cr. P. C.	13	2	10	...	1	...	...	...
Superior Courts — By persons convicted — Magistrates acting under section 34, Cr. P. C.	94	24	53	2	2	...	...	13
Superior Courts — By persons convicted — Sessions Judges	910	240	271	119	124	9	...	147
Superior Courts — By Government from judgments of acquittal, section 417. — All Courts.	34	4	...	...	1	...	...	19
Total ...	19,602	3,269	5,852	2,345	4,509	303	4	3,320
REVISION.								
By — Order of								
District Magistrates — Subordinate Magistrates.	2,819	1,300	1,405	5	302	285	...	470
Courts of Session ... — Magistrates ...	1,557	1,990	1,976	...	...	1,412	...	654
High Court (cases referred for orders under sections 432, 438). — Magistrates and Sessions Judges.	223	...	51	5	125	12	...	30
High Court (cases dealt with under section 435). — Magistrates ...	1,410	779	146	155	228	19	...	83
High Court (cases dealt with under section 435). — Courts of Session.	1,919	933	347	254	221	72	...	92
Total ...	(a)7,928	5,002	3,925	419	876	1,800	...	1,329
GRAND TOTAL ...	27,530	8,271	9,777	2,764	5,385	2,103	4	4,649

(a) Against 5,423 persons applications were made by complainants.

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Table No. V.—Criminal (Government of India Table No. 35).

Nature of offences reported and number of persons tried, convicted and acquitted.

Description of offences.	Number of cases.			Number of persons.					Remarks.
	Offences reported.	Returned as true.	Brought to trial.	Under trial including pending from previous years.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.	
1	2	3	4	5	6	7	8	9	10
Against the State	3	2	1	1	...	...	...	1	
Relating to the Army and Navy ...	...	...	...	...	...	...	...	...	
Against the public tranquillity ...	2,390	1,845	1,815	13,934	4,826	6,225	19	2,864	
By or relating to public servants ...	21	13	12	20	4	14	...	2	
Contempts of the lawful authority of public servants.	1,348	1,188	1,195	2,466	960	1,231	5	270	
False evidence and offences against public justice.	734	554	622	917	407	310	6	194	
Relating to coins	46	32	33	113	38	47	...	28	
Relating to Government stamps ...	5	6	5	11	4	5	...	2	
Relating to weights and measures	127	119	121	140	45	78	...	17	
Affecting the public health, safety, convenience, decency and morals.	389	323	317	524	118	336	...	70	
Relating to religion	30	25	20	133	50	9	...	74	
AFFECTING THE HUMAN BODY.									
Affecting life	827	653	622	3,098	1,217	824	18	1,039	
Causing miscarriage, injuries to unborn children, exposure of infants and concealment of birth.	41	32	30	42	13	24	...	5	
Hurt	16,296	9,846	9,898	30,118	22,505	3,758	16	3,839	
Wrongful restraint and wrongful confinement.	530	277	244	943	684	149	...	110	
Criminal force and assault ...	3,648	1,393	1,390	3,358	2,646	395	1	316	
Kidnapping, forcible abduction, slavery and forced labour.	318	178	173	539	299	70	3	167	
Rape	102	82	56	110	31	51	...	28	
Unnatural offence	14	13	13	19	9	10	...	...	
AGAINST PROPERTY.									
Theft	13,238	9,668	6,500	17,803	8,849	6,256	21	2,677	
Extortion	191	81	84	311	211	45	...	55	
Robbery and dacoity	837	659	458	3,267	1,293	773	7	1,195	
Carried over ...	41,134	26,984	23,609	77,867	44,208	20,610	96	12,953	

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Table No. V.—Criminal (Government of India Table No. 35)—*concld.*

Nature of offences reported and number of persons tried, convicted and acquitted—concld.

Description of offences.	Number of cases. Offences reported.	Returned as true.	Brought to trial.	Number of persons. Under trial including pending from previous years.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.	Remarks.
1	2	3	4	5	6	7	8	9	10
Brought forward ...	41,134	26,984	23,609	77,867	44,208	20,610	96	12,953	
AGAINST PROPERTY—*concld.*									
Criminal misappropriation ...	409	2:0	245	419	319	38	1	61	
Criminal breach of trust ...	772	490	480	729	396	190	4	139	
Receiving stolen property ...	1,504	1,310	1,334	2,494	712	1,514	4	264	
Cheating	1,694	848	891	1,731	1,252	267	9	203	
Fraudulent deeds and disposition of property.	281	148	140	450	328	82	...	40	
Mischief	5,618	2,884	2,616	9,717	7,695	9.9	12	1,091	
Criminal trespass	11,231	8,364	3,799	9,995	5,336	2,820	11	1,828	
Relating to documents and trade or property marks.	139	120	105	214	107	56	1	50	
Criminal breach of contracts of service.	...	...	...	...	...	...	...	...	
Relating to marriage	1,851	923	947	2,412	2,034	158	1	219	
Defamation	201	70	103	229	178	17	1	33	
Criminal intimidation, insult and annoyance.	681	213	248	584	441	75	...	68	
Total of offences under the Penal Code.	65,515	42,564	34,517	106,841	63,006	26,746	140	16,949	
Total of offences under Local and Special Laws.	48,652	43,444	45,361	60,754	15,101	42,232	22	3,399	
Grand Total ...	114,167	86,008	79,878	167,595	78,107	68,978	162	20,348	

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Table No. VI.—Criminal (Govern

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Punishments inflicted

Class of Tribunals.		Number of persons executed.	NUMBER OF PERSONS			
			Death.	Transportation or penal servitude.	Imprisonment.	Fine or forfeiture.
1		2	3	4	5	6
I.—MAGISTRATES.						
Subordinate Magistrates.	Special Magistrates under section 14	...	..	...	...	...
	Honorary Magistrates sitting singly. — 2nd and 3rd class	...	...	...	505	8,967
	Honorary Magistrates sitting singly. — 1st class	...	...	...	95	317
	Stipendiary Magistrates sitting singly. — 2nd and 3rd class	...	...	...	5,871	19,003
	Stipendiary Magistrates sitting singly. — 1st class — Under ordinary powers	...	...	...	11,859	20,993(a)
	Stipendiary Magistrates sitting singly. — 1st class — Under special powers under section 34.	...	...	...	328	38
	Benches of Magistrates	...	...	...	...	216
District and Divisional Magistrates—Cases referred under sections 347 and 349.		...	—	...	8	...
Chief Magistrates of districts.	Under ordinary powers	...	...	...	...	...
	Under special powers under section 34	...	...	...	...	...
	Total	...	...	...	18,666	49,523(a)
II.—COURTS OF SESSION.						
Assistant Judges		...	...	...	481	40
Judges and Additional Judges		...	...	156	713	56
	Total	...	...	156	1,194	96
III.—SUPERIOR COURTS OF GENERAL JURISDICTION.						
High Court.	Cases coming before the Court under section 526, Cr. P. C.	...	...	...	...	...
	Cases committed by the Presidency Magistrates ...	...	...	...	...	...
	Cases committed under section 447, sub-section (2), Cr. P. C.	...	...	...	...	...
	Cases referred by Sessions Judges under section 307, Cr. P. C.	...	...	1	2	1
	Cases referred by Sessions Judges under section 374, Cr. P. C.	...	15	8	5	...
	Total ...	...	15	9	7	1
	GRAND TOTAL ...	11	15	165	19,867	(a)49,620

(a) Property of one person was forfeited.

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ment of India Table No. 36.)

in Criminal Cases.

SENTENCED TO—				TOTAL AMOUNT OF FINES.			Number of persons sentenced to imprisonment of—				
		FINE OF—									
Whipping.	Give security.	Rupees 10 and under.	Over Rs. 10.	Imposed.	Realized.	Paid as compensation.	15 days and under.	Above 15 days to six months.	Above six months to two years.	Above two years.	Remarks.
7	8	9	.10	11	12	13	14	15	16	17	18
				Rs.	Rs.	Rs.					
...	...	...	...	...	...	...	...	...	...	...	
...	1	7,538	1,429	62,151	32,809	3,747	189	316	...	...	
...	37	218	99	5,013	1,953	300	5	65	25	...	
...	...	12,334	6,668	2,60,945	1,51,691	13,801	473	5,389	9	...	
97	1,640	13,287	7,705	3,96,603	2,11,937	23,601	785	7,294	3,764	...	16 persons sent to Reformatory School.
...	...	...	28	1,550	100	265	6	19	56	247	
...	...	210	6	285	210	...	...	...	...	...	
...	...	...	...	...	...	...	...	...	8	...	
...	...	...	...	...	...	...	...	...	...	—	
...	...	...	...	...	...	...	...	...	...	...	
97	1,678	33,587	15,935	7,26,547	3,98,700	41,714	1,458	13,083	3,862	247	16 persons sent to Reformatory School.
...	7	...	40	3,750	544	...	...	25	117	339	
...	68	1	55	9,025	1,264	...	7	56	208	442	
...	75	1	95	12,775	1,808	...	7	81	325	781	
...	...	...	...	...	...	...	...	...	...	...	
...	...	...	...	...	...	...	...	...	...	...	
...	...	...	...	...	...	...	...	...	...	...	
...	...	...	1	300	...	...	...	...	1	1	
...	...	...	...	...	...	...	...	...	...	5	
...	...	...	1	300	...	...	...	...	1	6	
97	1,753	33,588	16,031	7,39,632	4,00,508	41,714	1,465	13,164	4,188	1,034	16 persons sent to Reformatory School.

PROVINCIAL STATEMENTS (CRIMINAL), BIHAR, 1941.

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Table A.

Divisions.	Districts.	Offences reported to the Courts.	Cases in which complaints were dismissed under section 203 of the Criminal Procedure Code.	Other cases struck off as false.	Cases accepted as true.	Cases brought to trial.	Persons.	
							Acquitted or discharged.	Convicted.
1	2	3	4	5	6	7	8	9
Patna ...	Patna	9,334	1,073	5	8,062	8,261	7,514	6,913
	Gaya	6,209	1,104	9	4,995	5,105	5,210	4,602
	Shahabad	8,542	2,112	19	7,044	7,205	6,504	5,598
Tirhut ...	Saran	8,730	1,432	12	6,475	6,629	4,520	6,042
	Champaran	6,524	2,014	16	4,635	4,628	6,780	3,679
	Muzaffarpur	7,272	1,392	19	5,570	5,647	5,448	4,752
	Darbhanga	6,957	1,290	18	5,130	5,184	5,767	5,249
Bhagalpur ...	Monghyr	9,148	1,663	69	6,704	4,412	4,986	4,174
	Bhagalpur	8,134	2,634	29	4,973	4,689	6,299	3,453
	Purnea	7,618	1,709	151	5,170	3,369	5,328	2,546
	Santal Parganas	23	...	...	...	23	22	24
Chota Nagpur	Hazaribagh	7,434	915	183	6,116	4,560	6,413	3,934
	Ranchi	4,562	522	45	3,545	3,618	3,406	3,067
	Palamau	2,856	480	253	2,164	1,448	2,409	1,120
	Manbhum	16,332	766	141	15,425	11,140	4,570	10,378
	Singhbhum	4,492	251	281	...	3,960	2,931	3,447
	Total ...	1,14,167	19,357	1,250	86,008	79,878	78,107	68,978
	Total for 1940 ...	1,13,395	20,250	1,155	83,475	77,144	83,614	65,332

TABLE C

NUMBER OF PERSONS CONCERNED IN CASES DECIDED UNDER THE MISCELLANEOUS PROVISIONS OF THE CRIMINAL PROCEDURE CODE DURING 1941.

Table C

Number of persons concerned in cases decided under the miscellaneous provisions of the Criminal Procedure Code during 1941.

Divisions.	Districts.	Proceedings against witnesses under Chapter VI-C and section 485.	Proceedings under Chapter VIII to prevent breach of the peace.	Proceedings under Chapter VIII—Security for good behaviour.	Proceedings against local nuisances, Chapter X.	Possession, Chapter XII.	Frivolous or vexatious accusations dealt with under Chapter XX, section 250.	Non-attendance of Jurors and Assessors, Chapter XXIII, section 332.	Maintenance, Chapter XXXVI.	Forfeiture of bail or recognizance under Chapter XLII.	Proceedings under Chapter XLVI, section 563, against convicted offenders released under section 562, Cr. P. C.	Total persons.
		Persons.	Persons.	Persons.	Persons.	Cases.	Persons.	Persons.	Persons.	Persons.	Persons.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Patna.	Patna	...	463	102	122	66	4	14	12	7	...	724
	Gaya	...	243	93	417	20	9	18	20	43	4	847
	Shahabad ...	1	586	95	421	47	14	...	32	37	1	1,187
Tirhut.	Saran	...	333	214	300	35	12	33	60	9	...	961
	Champaran ...	...	86	98	120	58	11	...	36	21	...	372
	Muzaffarpur ...	1	190	100	77	20	19	1	7	27	...	422
	Darbhanga ...	...	235	240	47	47	18	...	19	33	7	599

BHAGALPUR.	*Monghyr* ...	...	211	124	146	35	8	5	23	10	...	527
	Bhagalpur ...	...	154	164	79	473	6	1	11	25	1	431
	Purnea ...	...	179	129	27	6	5	2	21	16	...	379
	Santal Parganas ...	...	...	...	3	...	...	2	...	...	...	5
CHOTA NAGPUR.	Hazaribagh ...	1	130	48	243	48	8	...	24	25	6	485
	Ranchi	...	94	18	91	39	14	9	20	41	...	287
	Palamau ...	...	31	15	56	35	9	...	14	3	...	128
	Manbhum ...	...	41	58	30	64	6	4	25	29	...	193
	Singhbhum ...	2	139	43	9	4	4	3	61	27	...	288
	Total ...	5	3,115	1,531	2,188	997	147	92	385	353	19	7,835
	Total for 1940 ...	2	3,607	1,292	2,441	1,327	159	96	423	275	8	8,303

Table D

Cases disposed of in the Superior Local Courts in 1941.

Divisions.	Districts.	Courts of Session. Sessions cases.	Average duration of sessions cases in days.	Appeals.	Revisions.	District Magistrates. Original cases.	Appeals.	Revisions.
1	2	3	4	5	6	7	8	9
PATNA ...	Patna	88	221	321	178	...	260	133
	Gaya	56	167·1	259	113	...	275	138
	Shahabad	56	90	352	168	...	237	105
TIRHUT ...	Saran	100	195	307	164	...	231	67
	Champaran	64	80·2	202	41	...	181	121
	Muzaffarpur	62	78·6	369	124	...	235	67
	Darbhanga	69	152	396	155	...	289	80

BHAGALPUR ...	Monghyr	54	[illegible]	279	92	8	232	161
	Bhagalpur	51	170	233	134	...	194	68
	Purnea	86	163	190	96	...	143	49
	Santal Parganas	15	193	...	...	...	...	...
CHOTA NAGPUR	Hazaribagh...	20	211	90	16	...	206	85
	Ranchi	40	191	233	41	...	214	15
	Palamau	12	223	111	10	2	54	34
	Manbhum	18	294·3	290	43	...	186	29
	Singhbhum...	32	214·5	136	37	...	108	23
	Total ...	823	159	3,768	1,412	10	3,045	1,175
	Total for 1940 ...	698	117·5	3,632	1,520	13	3,218	1,284

Table E.

Statement showing the particulars of whippings inflicted in 1941 by the Criminal Tribunals in each district in Bihar.

Divisions.	Districts.	Cases in which whipping was inflicted.			
		In lieu of other punishments.	In addition to other punishments.	On juvenile offenders other than those included in columns 3 and 4.	Total.
1	2	3	4	5	6
PATNA ...	Patna	5	...	6	11
	Gaya	9	...	...	9
	Shababad	...	...	...	...
TIRHUT ...	Saran	1	...	...	1
	Champaran	8	...	...	8
	Muzaffarpur	...	...	...	...
	Darbhanga	5	...	...	5
BHAGALPUR ...	Monghyr	...	...	14	14
	Bhagalpur	...	...	...	...
	Purnea	8	...	...	8
	Santal Parganas	...	...	...	...

Chota Nagpur	Hazaribagh	...	...	7	7
	Ranchi	3	...	...	3
	Palamau	3	...	...	3
	Manbhum	...	...	16	16
	Singhbhum	12	...	...	12
	Total ..	54	...	43	97
	Total for 1940 ...	75	3	26	104

Table

Statement showing the number of witnesses, the time for paid as expenses of witnesses in the Courts

Divisions.	Districts.	COURTS OF SESSION.						
		NUMBER OF WITNESSES DISCHARGED.				Total in attendance.	Number examined.	Amount paid as expenses.
		On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.			
1	2	3	4	5	6	7	8	9
								Rs.
PATNA.	Patna	885	229	158	137	1,409	1,351	4,929
	Gaya	438	300	150	118	1,006	918	2,059
	Shahabad	600	154	60	27	841	744	2,409
TIRHUT.	Saran	1,045	174	69	...	1,288	1,041	1,463
	Champaran	949	336	113	54	1,452	1,072	1,524
	Muzaffarpur	523	188	183	164	1,058	803	2,332
	Darbhanga	791	267	127	75	1,260	1,030	2,113
BHAGALPUR.	Monghyr	585	284	139	69	1,077	845	2,519
	Bhagalpur	756	345	179	59	1,339	1,027	4,138
	Purnea	1,173	273	95	119	1,660	1,167	5,591
	Santal Parganas	140	93	65	45	343	262	1,316
CHOTA NAGPUR.	Hazaribagh	303	78	48	22	451	407	1,462
	Ranchi	599	178	70	27	874	737	2,949
	Palamau	177	39	12	...	228	175	438
	Manbhum	297	66	1	...	364	312	496
	Singhbhum	506	33	1	...	540	501	631
	Total ...	9,767	3,037	1,470	916	15,190	12,392	36,369
	Total for 1940 ...	8,242	2,8[illegible]7	1,221	799	13,099	10,612	30,180

F

which they attended, the number examined and the amount of Session and Courts of Magistrates in 1941.

COURTS OF MAGISTRATES.

Number of witnesses discharged. On the 1st day.	Number of witnesses discharged. On the 2nd day.	Number of witnesses discharged. On the 3rd day.	Number of witnesses discharged. After the 3rd day.	Total in attendance.	Number examined.	Amount paid as expenses.
10	11	12	13	14	15	16
						Rs.
10,220	7,084	2,124	840	20,268	17,783	18,672
9,135	5,346	1,579	308	16,370	14,111	15,693
9,304	6,501	1,765	614	18,184	15,233	9,124
15,319	6,023	2,160	133	23,635	19,177	14,333
12,769	6,419	1,486	43	20,717	16,276	15,132
11,092	6,641	1,361	105	19,200	15,462	6,847
11,447	5,757	1,255	148	18,607	15,599	14,070
10,397	6,223	2,394	174	19,188	16,960	22,081
12,560	6,492	2,292	97	21,441	18,811	16,600
10,024	4,618	1,201	448	16,291	13,398	21,613
...	...	...	...	...	...	...
6,614	4,034	1,569	274	12,491	9,825	16,146
8,435	5,049	1,019	158	14,631	11,267	6,147
4,448	2,585	799	...	7,832	6,257	9,737
10,068	6,414	2,245	...	18,727	15,028	36,509
5,989	3,570	871	144	10,574	9,279	12,904
1,47,811	82,758	24,170	3,467	2,58,156	2,14,466	2,35,588
1,52,031	86,182	24,530	4,375	2,67,118	2,18,920	2,07,724

Table G.

Criminal Business coming before the High Court in 1941.

Description of cases.		Remaining from 1940.	Filed in 1941.	Dispsoed of in 1941.	Remaining at the close of 1941.
1		2	3	4	5
ORIGINAL CRIMINAL JURISDICTION. *Sessions cases.*					
Cases under section 526, Criminal Procedure Code.		..	..	..	..
Cases committed by the Presidency Magistrates.		..	..	..	..
Cases committed under section 447, sub-section (2), Criminal Procedure Code.		..	..	..	..
Total ..		..	..	..	..
APPEALS.					
By persons convicted.	From the orders of the Presidency Magistrates.	..	..	..	..
	Magistrates acting under section 34, Criminal Procedure Code.	..	37	34	3
	Sessions Judges ..	21	315	280	56
	Under section 476B, Cr. P. C.	1	5	6	...
By the Local Government.	From judgments of acquittal of all Courts.	..	5	2	3
Total ..		22	362	322	62
REFERENCES.					
Cases in which the Sessions Judge dissented from the verdict of a Jury and referred under section 307, Criminal Procedure Code.		..	14	12	2
Cases in which sentence of death passed by the Sessions Judge was referred for confirmation under section 374, Criminal Procedure Code, and section 4 of Act XXII of 1860.		3	38	32	9
Carried over ..		3	52	44	11

Table G—*concld.*

Criminal Business coming before the High Court in 1941.

Description of cases.	Remaining from 1940.	Filed in 1941.	Disposed of in 1941.	Remaining at the close of 1941.
1	2	3	4	5
Brought forward ..	3	52	44	11
Cases in which proceedings held against persons who cannot understand them are referred for orders under section 341, Criminal Procedure Code.	..	..	..	..
Reference under section 339, Criminal Procedure Code.	..	..	..	.
Reference under section 215, Criminal Procedure Code.	..	1	1	..
References by Presidency Magistrates under section 432, Criminal Procedure Code.	..	..	..	..
Total ..	3	53	45	11
REVISIONS.				
Cases referred for revision by District Magistrates and Sessions Judges under section 438, Criminal Procedure Code.	8	73	69	12
Cases dealt with by the Court under section 435, Criminal Procedure Code, and under section 15 of the Charter Act :—				
(1) Cases decided by Magistrates	19	438	431	26
(2) ,, ,, Sessions Judges	28	524	525	27
Cases dealt with under section 526, Criminal Procedure Code.	3	59	56	6
Cases against the order of sanction granted by Civil and Revenue Courts under sections 195—476, Criminal Procedure Code.	2	11	12	1
Total ..	60	1,105	1,093	72
Original Miscellaneous	..	2	1	1
Miscellaneous orders in Court ..	..	88	88	..
Total ..	..	90	89	1
Grand Total ..	85	1,610	1,549	146

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